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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,123	07/08/2003	Masahiro Yoshimoto	MAE 289	6037
23995	7590	11/29/2005	EXAMINER	
RABIN & Berdo, PC 1101 14TH STREET, NW SUITE 500 WASHINGTON, DC 20005			BRASE, SANDRA L	
			ART UNIT	PAPER NUMBER
			2852	

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/614,123	YOSHIMOTO, MASAHIRO	
	<b>Examiner</b> Sandra L. Brase	<b>Art Unit</b> 2852	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 September 2005.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1,4 and 6-23 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 1,4,6-8,16-19,21 and 22 is/are allowed.  
 6) Claim(s) 9-11,14,20 and 23 is/are rejected.  
 7) Claim(s) 12,13 and 15 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
     1. Certified copies of the priority documents have been received.  
     2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
     3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9, 20 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katamoto et al. (US 6,285,842) in view of Usui et al. (US 6,473,574).

3. Katamoto et al. (...842) disclose a printing apparatus (figure 1) including a plurality of image forming sections (Pa, Pb, Pc and Pd) that form images of different colors one over the other in registration on a medium (P), comprising: a receiving section that receives image data (col. 9, lines 20-26); a selecting unit that allows a user to select an image forming section that performs printing and an image forming section that does not perform printing (col. 10, lines 26-37); and a control unit that controls the plurality of image forming sections in such a way that when at least one image forming section is not selected and at least one image forming section is selected, the at least one image forming section selected by the selecting unit operates to form an image of a corresponding color on a medium (col. 9, lines 13-29 and col. 10, lines 26-37). Each of the image forming sections comprises a respective photoconductive drum (222a, 222b, 222c and 222d). A user inputs a symbol indicative of an image forming section that performs printing, the symbol being inputted through the selecting unit (col. 10, lines 26-37; col. 11, lines 5-26). However, Katamoto et al. (...842) do not disclose specifically that the image forming sections

are removably attached to a body of the printing apparatus. Usui et al. (...574) disclose a printing apparatus including a plurality of image forming sections (1-4) that are removably attached to a body of the printing apparatus (col. 3, lines 1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the image forming sections be detachable, as disclosed by Usui et al. (...574), so as to provide easy maintenance.

4. Claims 10, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katamoto et al. (US 6,285,842) in view of Usui et al. (US 6,473,574) as applied to claim 9 above, and further in view of Rogers, IV et al. (US 6,029,018).

5. Katamoto et al. (...842) in view of Usui et al. (...574) disclose the features mentioned previously, but do not disclose the claimed detecting section with the corresponding control. Rogers, IV et al. (...018) discloses a printing apparatus including a detecting section (21, 23, 25 and 27) that detects whether a corresponding image forming section is present in the printing apparatus, wherein if a selected image forming section is not present in the printing apparatus, a control section performs an error handling operation (col. 3, line 16 – col. 4, line 4). The control section does not send image data to a corresponding image forming section if the detecting section detects that the corresponding image forming section is not present in the printing apparatus (col. 3, line 50 – col. 4, line 15). When the control section controls the image forming sections selected among the sections detected by the detecting section, the printing is performed on the medium (col. 3, lines 50-56). It would have been obvious to one of ordinary skill in the art at the time of the invention to have the claimed detecting section with the corresponding

Art Unit: 2852

control, as disclosed by Rogers, IV, et al. (...018), so that the printer remains operable even if an image forming section is not available for use.

***Allowable Subject Matter***

6. Claims 12, 13 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. Claims 1, 4, 6-8, 16-19, 21 and 22 are allowed.

***Response to Arguments***

8. Applicant's arguments with respect to claims 9-11, 14, 20 and 23 have been considered but are moot in view of the new ground(s) of rejection.

***Final Rejection***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

*Inquiry*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra L. Brase whose telephone number is (571) 272-2131. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Arthur T. Grimley, can be reached on (571) 272-2136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Sandra L. Brase  
Primary Examiner  
Art Unit 2852

November 23, 2005